

REMARKS

In the outstanding final Office action dated August 9, 2005, the Abstract was objected to under MPEP § 608.01(b) on the basis of improper form and the specification was objected to for lacking the identification of serial numbers of applications referenced in the body of the specification. In response thereto, the Abstract has been amended to comply with MPEP § 608.01(b) and the serial numbers of the applications referenced in the specification have been provided. As such, it is believed that the objections to the Abstract and specification have been traversed.

Additionally, in the outstanding final Office action, claims 6 and 7 were objected to under 35 U.S.C. § 112, first paragraph. The Examiner stated that it was not clear how a ferrule could be manufactured with an outer diameter of less than 0.01 inch as well as include an aperture for accommodating an optical fiber and an outer diameter with a tolerance to provide a "friction fit" with a sheath since in the Examiner's view, sheaths are "typically much greater in diameter and manipulated by hand for insertion into the body." It is respectfully submitted, however, that claims 6 and 7 actually satisfy the requirements of § 112, first paragraph. Clearly, the ferrule recited in claims 6 and 7 would be used in conjunction with a sheath having relevant dimensions which are comparable to that of the recited ferrule. Accordingly, it is believed that claims 6 and 7 should not be rejected on the basis of clarity simply because conventional sheaths might be much greater in diameter than a sheath contemplated to be used with the ferrule recited in claims 6 and 7. Thus, it is respectfully submitted that claims 6 and 7 satisfy the requirements of § 112, first paragraph.

Moreover, in the outstanding Office action, claims 1-5, 8, 9, 17, 19 and 31-34 were rejected under 35 U.S.C. § 102(b) both as being anticipated by Forkner et al. (4,750,476) and as

being anticipated by Oneda et al. (4,979,498). Claims 6 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Forkner et al. in view of Swanson et al. (5,445,939) and separately in view of Oneda in view of Swanson et al. It is respectfully submitted, however, that none of the cited prior art references, either alone or in combination, teach the subject matter recited in the claims.

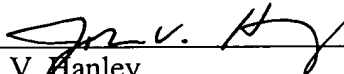
Significantly, each of independent claims 1 and 17 as well as their respective dependent claims, recite an elongated intracorporeal optical instrument or a system including an optical instrument including a ferrule attached to an optical fiber. With respect to the cited Forkner et al. patent, light-transmitting fibers 41 are not attached to the structure of Forkner et al. which the Examiner identifies as a ferrule ("connector 21") but rather, the fibers extend through tube 17 without ever contacting connector 21. Furthermore, the structure of Oneda et al. identified by the Examiner as being a ferrule ("cylindrical housing structure of the device proximal to 12A and 3") is not attached to the elongate optical fiber ("labeled as 17") disclosed in the Oneda et al. patent and in fact, the Figures of Oneda et al. do not even depict optical fibers in proximity with the structure identified as a ferrule let alone being attached thereto. Accordingly, neither Forkner et al. nor Oneda et al. teach the ferrule attached to an optical fiber recited in independent claims 1 and 17 and their dependent claims. As such, it is believed that each of the pending claims are allowable over the cited art.

CONCLUSION

Applicants have attempted to completely respond to the outstanding Office action. In view of the above amendments and remarks, Applicants respectfully request that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

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